

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

CHRISTOPHER AUNDRE FAULKNER,
Defendant.

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Case No: 3:18-CR-500-B

JOINT STATUS REPORT

TO THE HONORABLE JUDGE OF SAID COURT:

On March 19, 2020, the Court, by electronic order instructed the parties to file a joint status report on or before April 2, 2020 and include a proposed timetable for pretrial deadlines and a trial date. (Dkt #105). The parties submit the following report:

I. Discovery:

1. Faulkner is in the process of transitioning from the FPD as discovery coordinator to Dan James and the discovery is being processed in its native form for analysis and review. The Government is now sending Discovery productions directly to Dan James via Federal Express. The government's most recent discovery production was received by the defense on March 26, 2020. With this production the government has produced all materials it has reviewed to date. However, the government is currently processing an additional 8 PST (email accounts) for review which it expects to be able to deliver to the defense by the end of May 2020.
2. Parties are communicating through phone and email and producing discovery via Fed-Ex.
3. Faulkner has made arrangements with USMS and Mansfield Detention Center for Faulkner to be provided a laptop computer and external hard drive to review discovery while detained. Counsel hopes to have a laptop computer to Faulkner in the next week. It must be examined and approved by the Mansfield Detention Center's IT Dept.

4. Upon the substitution of Dan James for the discovery coordinator the defense requested EO1 images of all digital devices imaged by the government. On March 18, 2020, the Government received five (5) 8.0 TB hard drives for the Government to produce EO1 images of electronic discovery from seized devices. The government expects to be able to deliver the copies to the defense by the end of this month.
5. On March 27, 2020, Faulkner's counsel received an email from Dan James informing that he ran into issues regarding a destructive virus that was believed to have been on an image on a Galaxy S6 cell phone that was provided by the government in a cellbrite report. A Trojan Dropper virus executed during the processing of files and destroyed a laptop being prepared for Faulkner to use at the Mansfield Detention Center. In addition, it knocked out James's Dell T7610 that was processing the discovery and some of the NAS hard drives. Although this is a setback, James's systems are up and running as configured and he has processed all discovery received.
6. Because of COVID-19 and Dallas County's shelter-and-stay order and the attorney/client visitation at the Mansfield Detention Center being only through glass in a non-privileged environment, there will be a delay going over discovery and discussing the case at length with Faulkner.

II. Trial Dates

1. The parties disagree as to the date for trial. Faulkner believes Fall of 2021 (October) is reasonable for a trial setting, but subject to change. It would be requested that Pretrial Motions be due 120 days before the trial date.
2. The Government recommends a trial date in Spring of 2021, subject to change. The government expects that the defendant will file substantive pre-trial motions, including those that relate to a filter protocol violation which may require an evidentiary hearing. The government therefore also requests that pretrial motions be due 120 days before the trial date. The government further requests the date for the government to respond to the defendant's motions be at least 21 days.
3. The parties will defer to the Court for a trial setting considering the above requests.

III. Status Conferences

The parties suggest a telephonic status conference every 90-days so the Court knows the status of the case, that the parties are working and moving forward, or what issues, delays or problems are happening or foreseeable.

JOINTLY AGREED AND SUBMITTED:

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CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2020, this document was served on counsel for the government, AUSA Christopher Stokes, by electronically filing the pleading with the clerk of court for the U.S. District Court, Northern District of Texas using the ECF system.

/s/ Kevin B. Ross
Kevin B. Ross